



**MEMORANDUM**  
Harvey Ruvin  
Clerk of the Circuit and County Courts  
Clerk of the Board of County Commissioners  
Miami-Dade County, Florida  
(305) 375-5126  
(305) 375-2484 FAX  
www.miami-dadeclerk.com

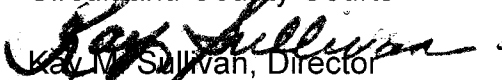
**Agenda Item No. 15(b)4**

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TO: Honorable Chairman Joe A. Martinez      DATE: June 21, 2005  
and Members, Board of County Commissioners

FROM: Harvey Ruvin, Clerk  
Circuit and County Courts

SUBJECT: Proposed Boundary Change  
to the City of North Miami

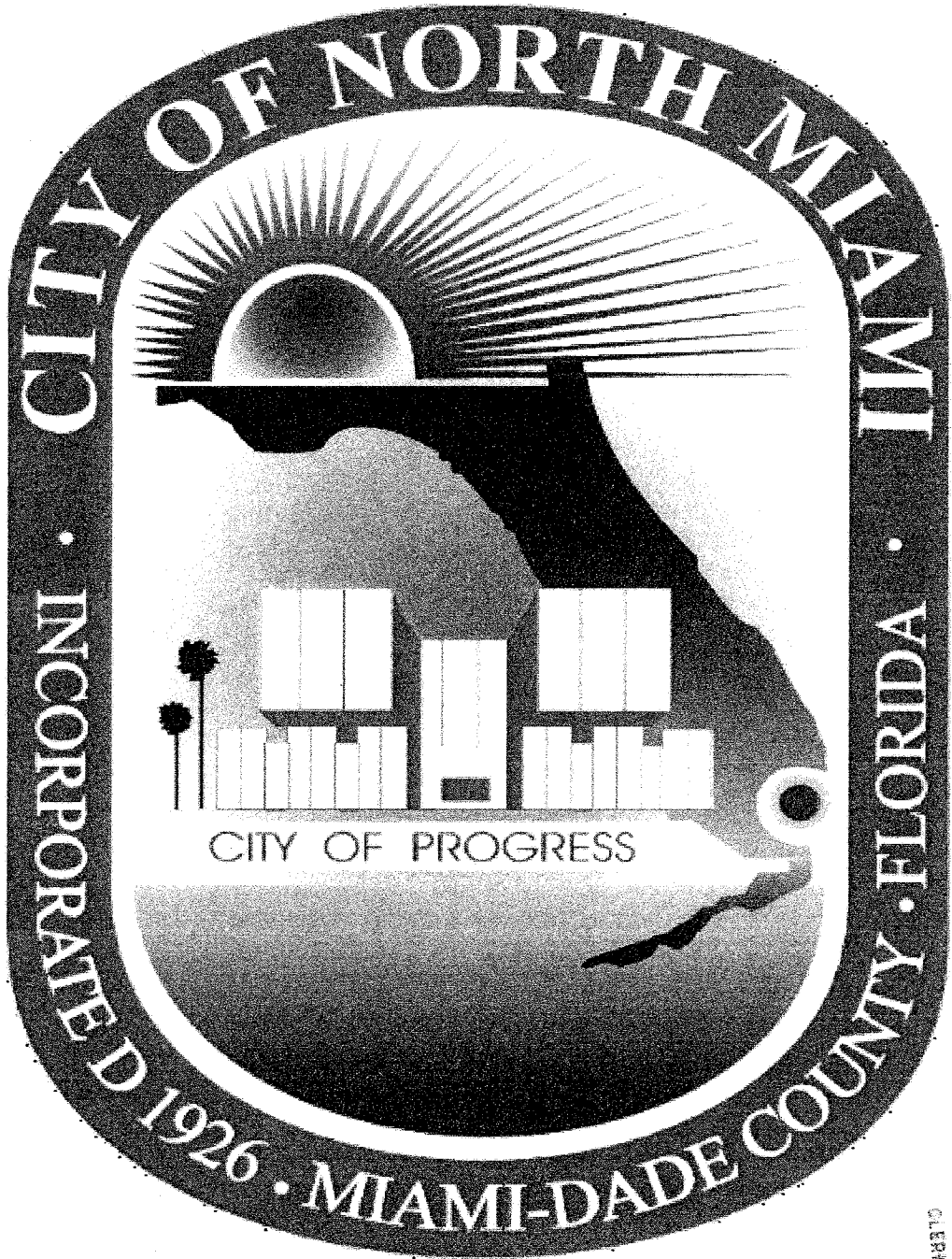
  
Kay M. Sullivan, Director  
Clerk of the Board

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Pursuant to the provisions of Chapter 20-5 of the Code of Miami-Dade County, the Clerk of the Board has received a petition from the City of North Miami requesting a boundary change to the City of North Miami. (See legal description in the attached application).

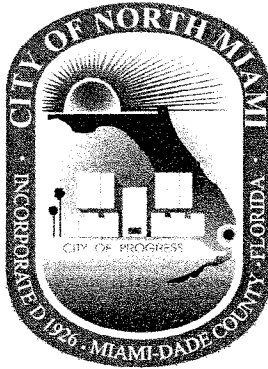
Following consideration by the County Commission, the Code provides that this request be forwarded to the Planning Advisory Board for review, study and recommendation.

Attachment  
KMS/kk



CLERK OF THE BOARD  
2025 JUN -3 PM 1:45  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
#1

**CITY OF NORTH MIAMI  
APPLICATION FOR ANNEXATION OF AREA "A"**



**"The City of Progress"**

**FOR SUBMITTAL TO: MIAMI-DADE COUNTY, FLORIDA**

**PREPARED BY:**

**N. JASMINE YACINTHE, PH.D., CITY PLANNER**

**CONTACT: (305) 893 6511**

**MAY 2005**

## EXECUTIVE SUMMARY

The City of North Miami, is applying to annex 2.78 acres of land located to the southeast of the City's boundary. The annexation area referred to as **Area "A,"** is bounded to the north by N.E. 139<sup>th</sup> Terrace to the east by N.E. 2<sup>nd</sup> Court, to the west by N.E. 3<sup>rd</sup> court, and to the south by N.E. 135<sup>th</sup> Street.

On March 22, 2005, the City of North Miami City Council approved the request to annex Area "A" based on Resolution # R-2005-21.

Area "A" is composed of three contiguous parcels located in Miami-Dade County and owned by one property owner, ONM Development LLC. ONM has requested to be annexed into the City of North Miami. The three parcels are vacant and no qualified electors reside in the subject area. Based on Miami-Dade Planning and Zoning Department, there are no lands in residential or other use within the proposed annexation area or within Area "A."

The City of North Miami notes that it is the best position to efficiently and effectively service the subject site by providing water, sewer, recreational, and governmental services to potential future residents of the annexation area. The subject area is defined by residential development. Potential future residents of Area 'A' will have much greater and closer access to local government officials and services provided by the City of North Miami. The subject site is also within the City of North Miami proposed Community Redevelopment Area (CRA).

The attached report has been prepared consistent with the requirements of Miami-Dade County Code Chapter 20, Article 1, Section 20-3.

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**City of North Miami City Council Resolution #R-2005-21**

**RESOLUTION NO. R-2005-21**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AMENDING RESOLUTION NO. R-2004-74 TO EXPAND THE BOUNDARIES FOR THE CITY'S SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX CERTAIN VACANT MULTI-FAMILY RESIDENTIAL PARCELS ALONG N.E. 2<sup>ND</sup> COURT.**

**WHEREAS**, Miami-Dade County has expressed a desire to reduce the number of enclave areas within the unincorporated area of the County; and

**WHEREAS**, ONM Development LLC (Owner), the fee simple owner of five (5) contiguous parcels of vacant land that are approximately 5.16 acres combined and located at or near 13800 NE 3<sup>rd</sup> Court, two (2) of which are within the City of North Miami and three (3) of which are 2.78 acres and within the unincorporated area of the County and more specifically described and identified as "Exhibit A" (Property), has requested the annexation of the three (3) parcels of vacant land located in unincorporated Miami-Dade County; and

**WHEREAS**, the Mayor and City Council, at its January 8, 2004 and November 9, 2004 meetings, expressed its support and approval to annex the three (3) unincorporated parcels; and

**WHEREAS**, the Owner seeks to develop the Property for a multi unit residential condominium; and

**WHEREAS**, the City Administration has recommended an expansion of the proposed annexation boundaries because the proposed parcels are contiguous to the parcels previously approved by the City Council for annexation; and

**WHEREAS**, based on the Administration's recommendation the Mayor and City Council wish to amend Resolution No. R-2004-74 to expand the proposed annexation boundaries for the parcels legally described and identified as "Exhibit A."

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA THAT:**

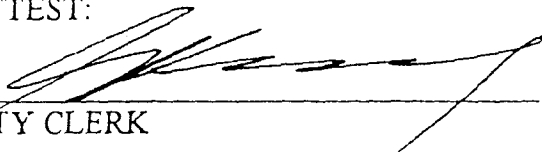
**Section 1.** That Resolution No. R-2004-74 is amended to expand the proposed annexation boundaries and include the parcels legally described and identified as "Exhibit A."

**Section 2.** That the City Administration shall submit an amended annexation application to Miami-Dade County for its consideration and approval.

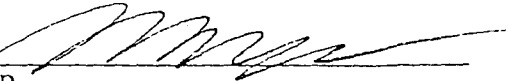
**Section 3.** This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED by a 3-0 vote of the Mayor and City Council of the City of North Miami, Florida, this 22 day of March, 2005.

ATTEST:

  
CITY CLERK

CITY OF NORTH MIAMI

  
MAYOR

APPROVED AS TO FORM:

  
INTERIM CITY ATTORNEY

SPONSORED BY: ADMINISTRATION



## NOTICE OF PUBLIC HEARING

### CITY OF NORTH MIAMI, FLORIDA

The City Council of the City of North Miami, Florida, will hold a Public Hearing on a proposed resolution affecting the City's Zoning code as follows:

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA, AMENDING RESOLUTION NO. R-2004-74 TO EXPAND THE BOUNDARIES FOR THE CITY'S SUBMITTAL OF AN APPLICATION TO MIAMI-DADE COUNTY TO ANNEX CERTAIN VACANT MULTI-FAMILY RESIDENTIAL PARCELS ALONG N.E. 2<sup>ND</sup> COURT (as described on the attached map).**

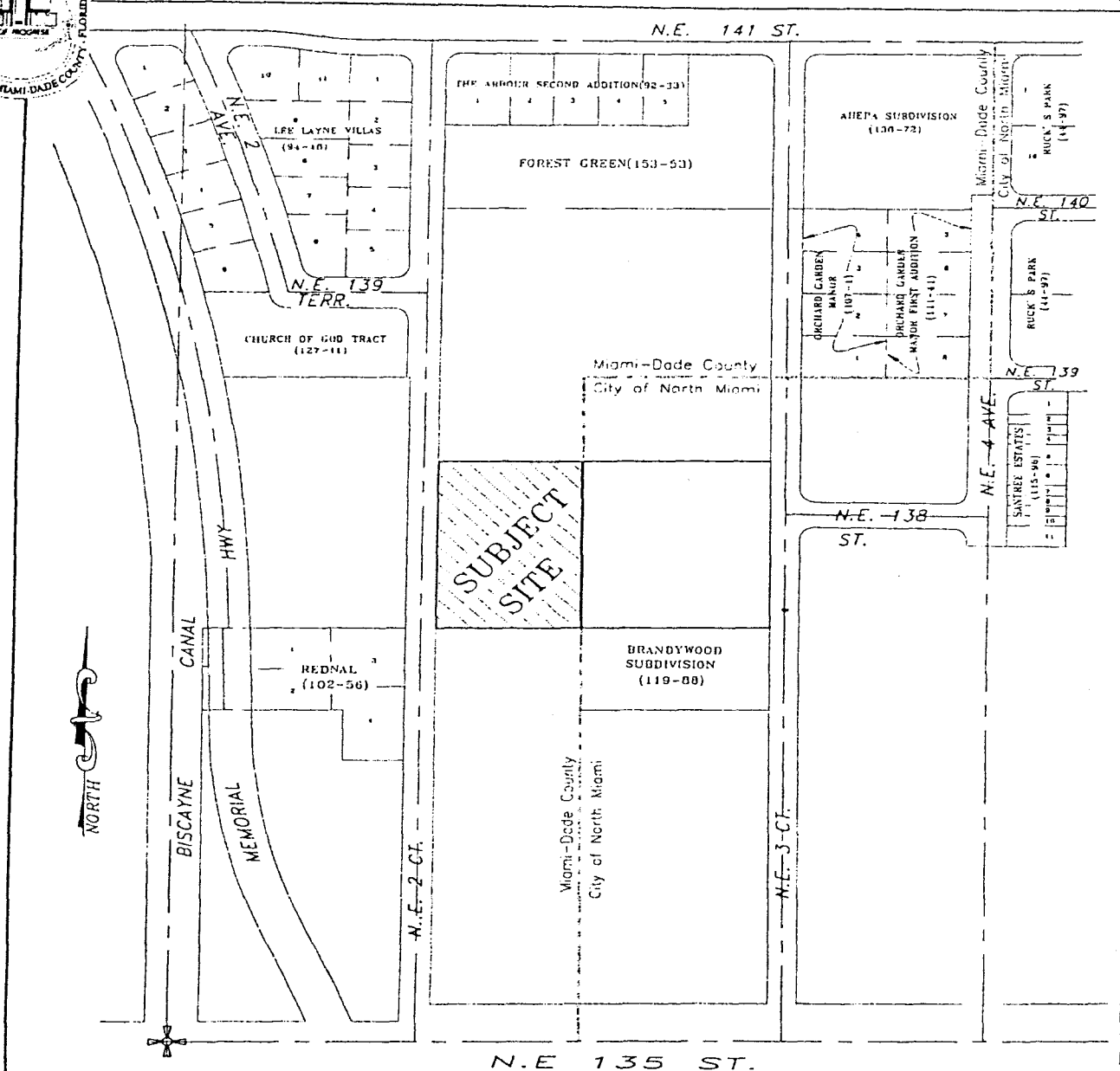
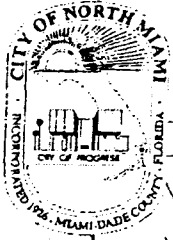
Public Hearing on the resolution will be held on Tuesday, March 22, 2005, 7:00 p.m. or as soon thereafter as possible at North Miami City Hall, City Council Chambers, Second Floor, 776 N.E. 125<sup>th</sup> Street, North Miami, Florida 33161.

Members of the public are welcome to attend the Public Hearing and provide oral or written comments on the matter. A copy of the ordinance is available for public review in the City Clerk's Office, City Hall, between the hours of 8:15 a.m. and 5:00 p.m. Written comments may be submitted to: City of North Miami, 12340 NE 8<sup>th</sup> Avenue, North Miami, Florida 33161, Attn: Community Planning and Development Department. For questions, please call (305) 893-6511, Ext. 2171.

Any person wishing to appeal the decision of the City Council will need a verbatim record of the meeting's proceedings, which record includes the testimony and evidence upon which the appeal is to be based (Section 286.0105, F.S.).

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the Community Planning & Development Department no later than four (4) days prior to the proceeding. Telephone (305) 893-6511, Ext. 2171 for assistance. If hearing impaired, telephone our TDD line at (305) 893-7936 for assistance.

# CITY OF NORTH MIAMI NORTHEAST 2ND COURT ANNEXATION



## **LEGAL DESCRIPTION OF PARCELS FOR ANNEXATION**

### **Parcel 1: Folio No. 30-2219-000-0900**

That part of the South 1/2 of the North 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4 of Section 19, Township 52 South, Range 42 East, lying East of the Center line of NE 2nd Avenue (now known as NE 2nd Ct.) As shown on the map attached to the deed recorded in Deed Book 1952, Page 509, less the West 25.00 feet, lying and being in Miami-Dade County, Florida; AND

### **Parcel 2: Folio No. 30-2219-000-0890**

That part of the N 1/2 of the S 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4 of Section 19, Township 52 South, Range 42 East, lying East of the Center line of NE 2nd Avenue, as shown on map attached to deed recorded in Deed Book 1952 at Page 509 of the Public Records of Dade County, Florida, subject to the Dedication of the West 25 feet for Street purposes; AND

### **Parcel 3: Folio No. 30-2219-000-0870**

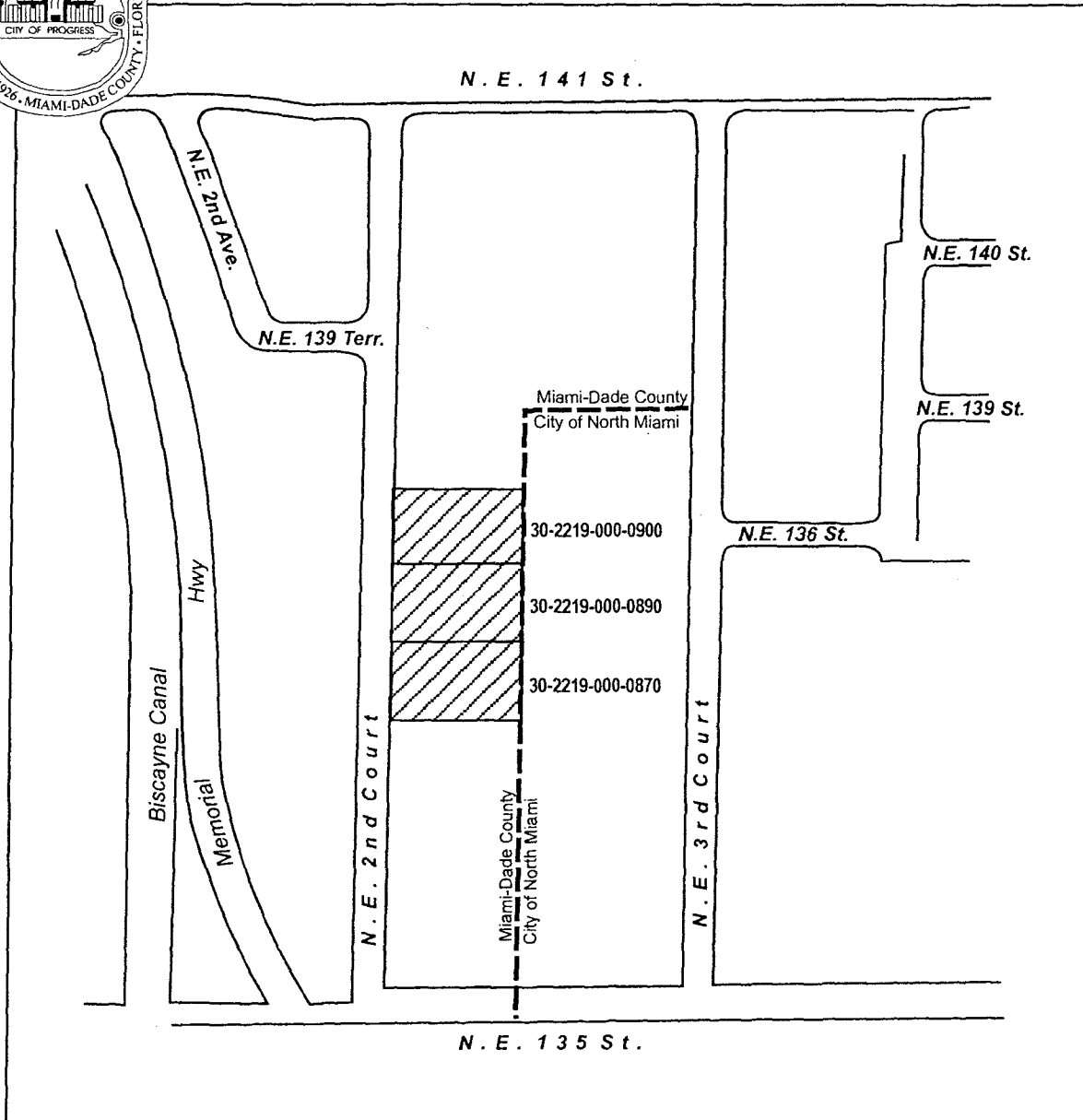
That part of the South 1/2, of the South 1/2, of the NW 1/4, of the SW 1/4, of the SW 1/4, of Section 19, Township 52 South, Range 42 East, lying East of the centerline of Northeast Second Avenue, as shown on Map attached to Deed recorded in Deed Book 1952, Page 509, of the Public Records of Miami-Dade County, Florida.

## **Location Map of Annexation Area “A”**



# City of North Miami

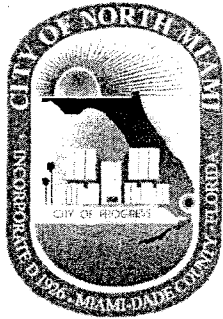
## Proposed Annexation Area A



**CERTIFICATE OF COUNTY SUPERVISOR OF ELECTIONS**

14

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# City of North Miami

776 Northeast 125<sup>th</sup> Street, P.O. Box 610850, North Miami, Florida 33161-0850

(305) 893-6511

March 7, 2005

Constance Kaplan  
Supervisor of Elections  
Miami-Dade County  
8700 NW 27<sup>th</sup> Avenue  
Doral, Florida 33172

RE: Certificate for Proposed Annexation

Dear Ms. Kaplan:

The City of North Miami is seeking annexation, from Miami-Dade County of the area legally described and mapped herein, and request a certificate certifying that the area involved in the proposed boundary change contains either more than two hundred fifty (250) residents who are qualified electors, or less than two hundred fifty (250) residents who are qualified electors.

Please contact me at (305) 893-6511 extension 2171, if you have any questions or require additional information.

Sincerely,

N. Jasmine Yacinte, Ph.D.  
City Planner

Cc: File



Miami-Dade County Elections Department  
2700 NW 87th Avenue  
Miami, Florida 33172  
T 305-499-VOTE F 305-499-8547  
TTY: 305-499-8480

miamidade.gov

## REVISED CERTIFICATION

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Constance A. Kaplan, Supervisor of Elections of Miami-Dade County, Florida, do hereby certify that no voters are registered within the area west of NE 3<sup>rd</sup> Ct with the following folio numbers of 30 2219 000 0900, 30 2219 000 0890 and 30 2219 000 0870.

WITNESS MY HAND  
AND OFFICIAL SEAL,  
AT MIAMI, MIAMI-DADE  
COUNTY, FLORIDA,  
ON THIS 28<sup>th</sup> DAY OF  
MARCH 2005.

A handwritten signature in cursive script, reading "Constance A. Kaplan", written over a horizontal line.

Constance A. Kaplan  
Supervisor of Elections  
Miami-Dade County



## **Grounds for the Boundary Change**

### **Annexation Area "A"**

There are 5 contiguous parcels that are being proposed for multifamily development. Three of the parcels are located in Miami-Dade County and the remaining two parcels are located in the City of North Miami. The reasons for annexing the subject properties are for the convenience of future residents to have a unified municipality to attend to their service needs in this development. The property is landlocked by a canal on the west side, which is in Dade County. The only access for residents, utilities, and services is through NE 3 Court and 138 Street.

The proposed area to be acquired would increase the City's property tax base and assist in the general welfare and residential characteristic of the community. Miami-Dade County is currently encouraging a policy for the annexation of unincorporated areas to existing municipalities within the County. The City of North Miami finds that the proposed annexation is beneficial to both the County and the City. The benefits to both the City and the County are twofold; 1) annexation will increase the City of North Miami's tax revenues and 2) help to reduce existing unincorporated areas of Miami-Dade County.

## **Services to be Provided**

### **1. Police Protection**

Police protection will be provided for proposed annexation area by the North Miami Police Department. The North Miami Police Department is located at 700 N.E. 124 Street in North Miami. The police department is located within 1.2 miles of the proposed annexation area. The department currently has 131 sworn officers and 77 patrol vehicles. The department also has a fully trained SWAT Team, Detective Bureau, Community Policing Unit, Police K-9 and a Traffic Safety Unit. The daily personnel assigned to patrol and related functions will be sufficient to patrol the annexation area. Projected response time to the proposed annexation area is consistent with other areas within city limits. The nearest Miami-Dade Police Substation is located at 15565 Biscayne Boulevard, 3.2 miles from the proposed annexation area. A strong working partnership with the Miami-Dade Police Department will be maintained after annexation to provide support whenever necessary in accordance with the existing mutual aid agreement between the City of North Miami and Miami-Dade County.

### **2. Fire Protection**

Fire protection and response to emergency medical requests will continue to be provided by the Miami-Dade County Fire/Rescue Department. Station # 19, located at 650 N.W. 131 Street in North Miami, currently services the annexation area and is located 1.8 miles from the site.

### **3. Water Supply and Distribution**

The City of North Miami owns and maintains, Winson Water Treatment Plant at Sunkist Grove, located at 12098 NW 11 Avenue, with an operating permit for 9.3 MGD. Our potable water supply system is supplemented by Miami-Dade County for an additional 40%. The City of North Miami maintains all of the water infrastructure and service lines within the area and has the capacity to service the above site.

### **4. Facilities for the collection and treatment of sewage**

The City of North Miami has an existing sanitary sewer collection and transmission system located within this area. The sanitary sewer lift station is Futura Station, located at NE 2 Avenue and NE 142 Street, and has a capacity of 540,000 GPD. The property can be serviced by this system. Please note the City of North Miami, owns and maintains a collection system which is then pumped to Miami-Dade County's re-pumping station WASD #346, located at NE 5 Avenue and 137 Street. The proposed site must obtain all necessary permits and allocations from Miami-Dade County DERM Wastewater Section.

## **5. Garbage and refuse collection and disposal**

The City of North Miami provides garbage and trash collection services for all single family and most multi-family facilities. If a new multi-family facility is constructed they do have the option of contracting with a private hauler for sanitation services. Garbage is collected twice a week and Bulk Trash is collected every other week. The disposal facility is owned and operated by Miami-Dade County. These services would commence immediately after they have opened a water account with the City of North Miami.

## **6. Street Lighting**

Florida Power and Light currently supply all electric services. The street lights if adjacent to City roads are owned and maintained by Florida Power and Light and are funded by user fees, any street lighting adjacent to a County or State road are owned and maintained by Miami-Dade County Public Works Department.

Any street lighting that may be required for the development of a property will be at the expense of the developer to have installed through Florida Power and Light and the City would begin paying for the street lighting immediately after the service has been installed. The City of North Miami will receive all electric franchise revenues from any annexed properties.

## **7. Street Construction and Maintenance**

The City of North Miami maintains all of the roadways within the City boundaries with the exception of the following Miami-Dade County roads

- NW 17 Avenue,
- NW 12 Avenue,
- NW 2 Avenue,
- North Miami Avenue,
- Memorial Highway,
- Griffin Blvd,
- NE 16 Avenue,
- NE 151 Street.

Florida Department of Transportation (FDOT) roads:

- Biscayne Blvd or S.R. 5,
- NE 6 Avenue or S.R. 915,
- West Dixie Highway or S.R. 909,
- NW 7 Avenue or S.R. 7, Opa Locka Blvd or S.R. 916,
- NW 135 Street or S.R. 916,
- NE 135 Street or S.R. 916, NE 123/125 Street or S.R. 922
- NW 119 Street or S.R. 924.

Other arterial or collector streets are constructed and/or improved by the private sector as development occurs with the maintenance responsibility transferring to the City of North Miami after a full year. Current street maintenance responsibilities will remain in place if the area is annexed into the City of North Miami. Any streets constructed in the future in the annexed area would be constructed / improved by private development and maintained by the City of North Miami after a one year period.

#### **8. Parks and Recreation Facilities and Services**

The City of North Miami has an exceptional system of parks with onsite facilities and recreational programs for youth and adults. The City has twelve (12) community parks and facilities comprising 80 acres, three (3) neighborhood parks and facilities comprising 6 acres, seven (7) mini parks comprising 5.5 acres, and 41 acres of landscaped passive green space. The Recreation Department offers a wide range of programs, including youth and adult sports leagues. Facilities include playground equipment, volleyball/basketball/handball/tennis courts, baseball/football/soccer and little league fields, picnic grounds and shelters, meeting/banquet facilities, and passive recreation areas. These facilities would be open to residents and visitors of the proposed annexation area.

The nearest County Park is Carl Mertes Arch Creek Park (2 acres) approximately two miles to the east. The City of North Miami Park and recreational facilities are more accessible than existing county facilities. In addition, the City of North Miami routinely maintains trees in the right-of-way to promote a healthy canopy while providing safe pedestrian and vehicular traffic under clearance. As part of the City's comprehensive plan, the City of North Miami requires 2.75 acres of recreational sites per one thousand people. Based on these criteria, the proposed annexation area will not have additional demands to the City's Parks and Recreation Department. It is anticipated that future development in the annexation area will not impose any significant burdens on existing City park and recreation facilities or programs.

#### **9. Building Inspection**

The annexation area "A" will be served by the City's Community Planning and Development Department (CP and D), which includes the Building division that will provide the required services necessary for the review, processing, and approval of building permits and building inspections that may be required for the future improvement to the site.

#### **10. Zoning Administration**

The Planning Commission reviews all requests for rezoning and the City's Board of Adjustments reviews requests for variances and special exception permits. Both boards submit recommendations to the City Council for final action. If approved, the annexation

area will receive the zoning administration services of the City of North Miami, which are closer in proximity to future property owners than similar County services.

### **11. Local Planning Services**

The City of North Miami's Community Planning and Development Department (CP &D) will provide local planning services for the proposed annexation site. The current City of North Miami Comprehensive Plan was approved, pursuant to Florida Statutes, in 1991. The Comprehensive Plan is now being updated and revised based on the State-required Evaluation and Appraisal Report (E.A.R.). The City is concurrently preparing the EAR and EAR-Based amendments, which are scheduled for adoption on November 1, 2005.

### **12. Special Services**

#### Code Enforcement

The City of North Miami's Code Enforcement Division of the Public Works Department performs regular inspections on all developed and undeveloped property to assure and maintain quality of life for all of the residents of the City of North Miami.

#### Storm Water

The City of North Miami completed its Storm Water Master Plan in 2002. This Master Plan outlines the priority areas for drainage improvements. The above area is included in the priority area #2 (the Biscayne Canal West Drainage Basin) this basin also has secondary canals and pump stations owned and operated by Miami Dade County Public Works Department. The City of North Miami, as of December 2004, has completed drainage improvements within this basin for 1.5 million dollars and has ear-marked projects for this basin costing over 500,000 dollars for the next fiscal year. Miami-Dade County is also in the process of cleaning all of the secondary canals and culverting certain sections. All proposed development projects for this area would have to obtain a Miami-Dade County (DERM) permit and a City of North Miami drainage permit. The City of North Miami Standards for Commercial/Rental Properties must be designed for a 25-year 72-Hour storm event and must be built at base flood elevation plus 1 foot i.e. B.F.E.+1. Miami-Dade County regulations require runoff to be kept on site. If the developer meets all of these criteria, there should be no drainage problem.

### **13. General Government**

The City of North Miami is a municipal corporation established under Florida Statutes and governed by elected Mayor and four City Council members. The Council establishes public policy and law and directs the City Manager. The City Manager is responsible for all City departments and employees and is directly responsible to the City Council for all City operations. The annexation area and all residents of the annexation area will be part of this system.

## **11. Site Planning and Zoning Administration**

The City of North Miami regulates its' zoning with Chapter 29 of the City Code of Ordinances. Site plans review is conducted under the establishment of the Staff Review Committee (SRC), a committee staffed by various City departments, including the Zoning Administrator, City Planner, Planning Technician, Parks and Recreation, Public Works, and the Police Department. Site plans meeting all the conditions of the SRC and the Zoning Code can proceed to obtain a building permit.

If any sections of the Zoning Code cannot be complied with, the City's Board of Adjustments (BOA) is an advisory board on variance and special exception petitions. Recommendations of the BOA are sent to the City Council for final consideration and decision. Administrative decisions by the Zoning department can also be appealed to the BOA for recommendation to the City Council.

Occupational licenses are also reviewed by Zoning in accordance with Chapter 11 of the City Code of Ordinances. Business and land uses in compliance with the Zoning Code are approved for occupational licenses by zoning and licenses are issued by the City Clerk's office.

The annexed parcels will be regulated by the City Code of Ordinances and will allow development on the site to be consistent with surrounding North Miami properties under the same regulations and guidelines.

### III. Timetable to Supply Services

<u>Services</u>	<u>Timetable</u>
1. Police Protection	Immediate
2. Fire	Immediate
3. Water Supply & Distribution	As required by future development of the site
4. Facilities for the Collection and Treatment of Sewage	As required by future development of the site
5. Street Lighting	As required by future development of the site
6. Garbage and Refuse Collection and Disposal	As required by future development of the site
7. Street Construction & Maintenance	As required by future development of the site
8. Park and Recreation Facilities and Services	As required by future development of the site
9. Building Inspection	As required by future development of the site
10. Zoning Administration	Immediate
11. Local Planning Services	Immediate
12. Special Services (Code Enforcement)	Immediate
13. General Government	Immediate

## **VI. Financing of Services**

### **1. Police Protection**

Police services will be provided immediately after annexation occurs. The requirement for additional Police Department staffing is based on the amount of services required to patrol the community and provide all crime prevention and investigation services necessary. Typical standards of officers per thousand populations are not appropriate at this time but may be necessary once the site is developed. The City of North Miami Police Department is funded primarily through the City's General Fund. If Area "A" is annexed into the city, increased property tax collections could fund the costs for additional police services.

### **2. Fire Protection**

Fire protection services will continue to be provided by Miami-Dade County using existing tax revenue sources. There is no cost to the City of North Miami for this service. Property owners through tax bills pay all costs for fire protection and this will continue for property owners in the annexation area.

### **3. Water Supply and Distribution**

Future costs associated with water main extensions and connections will be paid by the private developer as improvements to the proposed area occur. Water treatment plant expansion will not be needed to accommodate future growth of the annexation area. Monthly water usage charges will provide the revenues necessary for operation and maintenance of the potable water treatment and distribution system.

### **4. Facilities for the collection and treatment of sewage**

Future costs associated with sanitary sewer line extensions and connections will be paid by private developers as development of the proposed area occurs. Impact fees for both the City of North Miami and Miami-Dade County will be required as a result of any improvement within the annexed area. Monthly sewer usage charges will provide the revenues necessary for operation and maintenance of the wastewater pump stations and lines of the collection system servicing the annexed area.

### **5. Garbage and refuse collection and disposal**

All future development of the site would have the option of utilizing the City of North Miami, sanitation services or contract with a private hauler. The City of North Miami issues a utility bill monthly and the prices for collection and disposal can be obtained from the Utility Billing Department at the time of development.



## **6. Street Lighting**

The City currently has a contract with Florida Power and Light (FPL) to provide lighting services in the City of North Miami. All new development will pay for this service through ad valorem taxes. The City of North Miami will also receive all electric franchise revenues from any annexed properties. Every new development pays an ad valorem tax and a portion of that pays the contract with Florida Power and Light for the repairs and maintenance of the street lights located on local right of ways.

## **7. Street Construction and Maintenance**

Street construction and expansions of existing streets that are necessary to accommodate future development will be funded by State, County, and City utilizing gas taxes, ½ cents transportation surtax, impact fees, and grants as well as by the private development sector through direct construction. Every new development pays an ad valorem tax and a portion of that is for the maintenance of the local roads

## **8. Parks and Recreation Facilities and Services**

Parks and recreation facilities and services are funded through the City's General Fund. It is anticipated that proposed development of Area "A" will not impose any significant burdens on existing City parks and recreation facilities. The City of North Miami's Parks and Recreation Department will serve the proposed area "A" as future development occurs.

## **9. Building Inspection**

The developers and property owners are required to pay building permit fees for all required building permits issued for work on the property. The sources of revenue funds are used to pay the costs for all building permit reviews and inspections.

## **10. Zoning Administration**

Fees paid by applicants fund Zoning and site planning review functions. The City's Planning Fee Schedule establishes fees. These fees would be applicable to any future development on the annexed property.

## **11. Local Planning Services**

Comprehensive planning services in the City of North Miami are paid from the General Fund. Planning for the proposed area would be funded from the estimated increased in property tax revenues. Private sector Comprehensive Plan amendments are funded from application fees.

## **12. Special Services**

Code Enforcement inspections would begin immediately for safety and continued upkeep of the City of North Miami. Code Enforcement services are funded through the city's general funds.

## **13. General Government.**

General government services in the City of North Miami are funded from the General Fund. For the proposed Annexation Area "A", these services would be funded from increased property tax revenues. These programs are funded from federal, state, and county sources, and these sources are expected to continue and be available to serve the future residents of the proposed annexation area.

## V. Tax Load On Area To Be Annexed

According to Miami-Dade County Property Appraiser's Office, the 2004 total taxable property value in Area "A" is as follows:

Real Property	\$203,274
Personal Property	\$ --0--
Total Property Value	\$ 203,274

### Taxable Value and Taxes Generated

	Total Taxable Value	Taxes Currently Generated for County based on millage rate of 21.68	Taxes Generated After Annexation based on City's millage rate of 27.47	Differences in Taxes
Annexation Area "A"	\$203,274			
<b>Total</b>	\$203,274	\$4,407.11	\$5,585.95	\$1,178.83

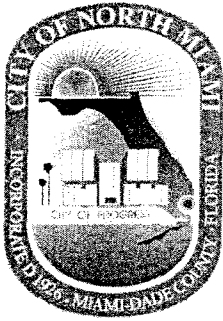
Source: Miami-Dade Property Appraiser's Office; The City of North Miami

Taxes generated are calculated by multiplying taxable value in 2004 by the total millage rate for City of North Miami.

## **VII. Land Use Plan and Zoning for Subject Area**

The City intends to apply future land use categories to proposed Annexation Area "A" that are consistent with Miami-Dade County's Land Use and Zoning designations. The proposed zoning for area "A" would be R-5 Multi-Family Residential, and the Land Use designation would be Multi-Family consistent with the current zoning and land use designation on the adjacent properties (See attached land use and zoning maps).

**CERTIFICATE OF DIRECTOR OF PLANNING AND ZONING**



# City of North Miami

776 Northeast 125<sup>th</sup> Street, P.O. Box 610850, North Miami, Florida 33161-0850

(305) 893-6511

March 29, 2005

Ms. Diane O'Quinn Williams  
Director  
Department of Planning and Zoning  
12<sup>th</sup> Floor  
111 NW 1<sup>st</sup> Street  
Miami-Dade, Florida 33128

RE: Certificate for Proposed Annexation

Dear Ms O'Quinn:

In an effort to fulfill Miami-Dade County requirements regarding proposed annexation of properties, the City of North Miami requests certification from your department that the lands mapped and legally described in the attached map and legal descriptions are less than 50% residential. A copy of the signed and dated resolution is attached.

Please contact me at (305) 893-6511 extension 2171, if you have any questions or require additional information.

Sincerely,

N. Jasmine Yacinthe, Ph.D. City Planner


Cc: File

# Memorandum



**Date:** April 12, 2005

**To:** Kay Sullivan, Director  
Clerk of the Board

**From:**   
Diane O'Quinn Williams, Director  
Department of Planning and Zoning

**Subject:** Certification of the City of North Miami's Proposed Annexation of the Area Described  
in City Resolution No. R-2005-21

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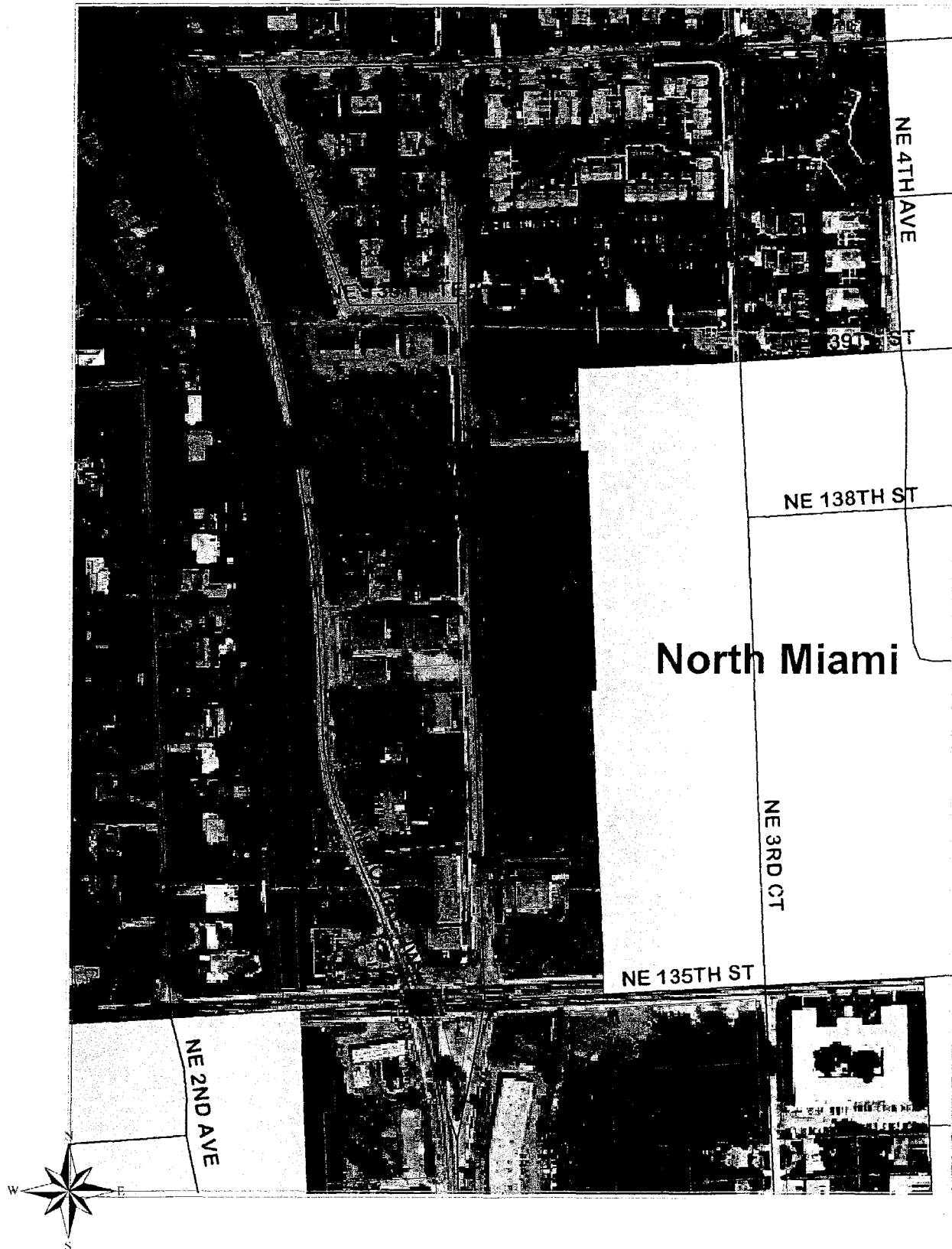
This memo will serve to certify that, in accordance with Sec. 20-9 (a) of the Code of Miami-Dade County, I have determined that:

- According with the 2003 land use records, the proposed annexation area is currently vacant; thus, there are no lands in residential or other use within the proposed annexation area.
- The proposed annexation area, which totals approximately 2.7 acres, is comprised of three parcels with the following folio numbers: 30-2219-000-0900, 30-2219-000-0890, and 30-2219-000-0870.

DO'QW:SB:MC:GL

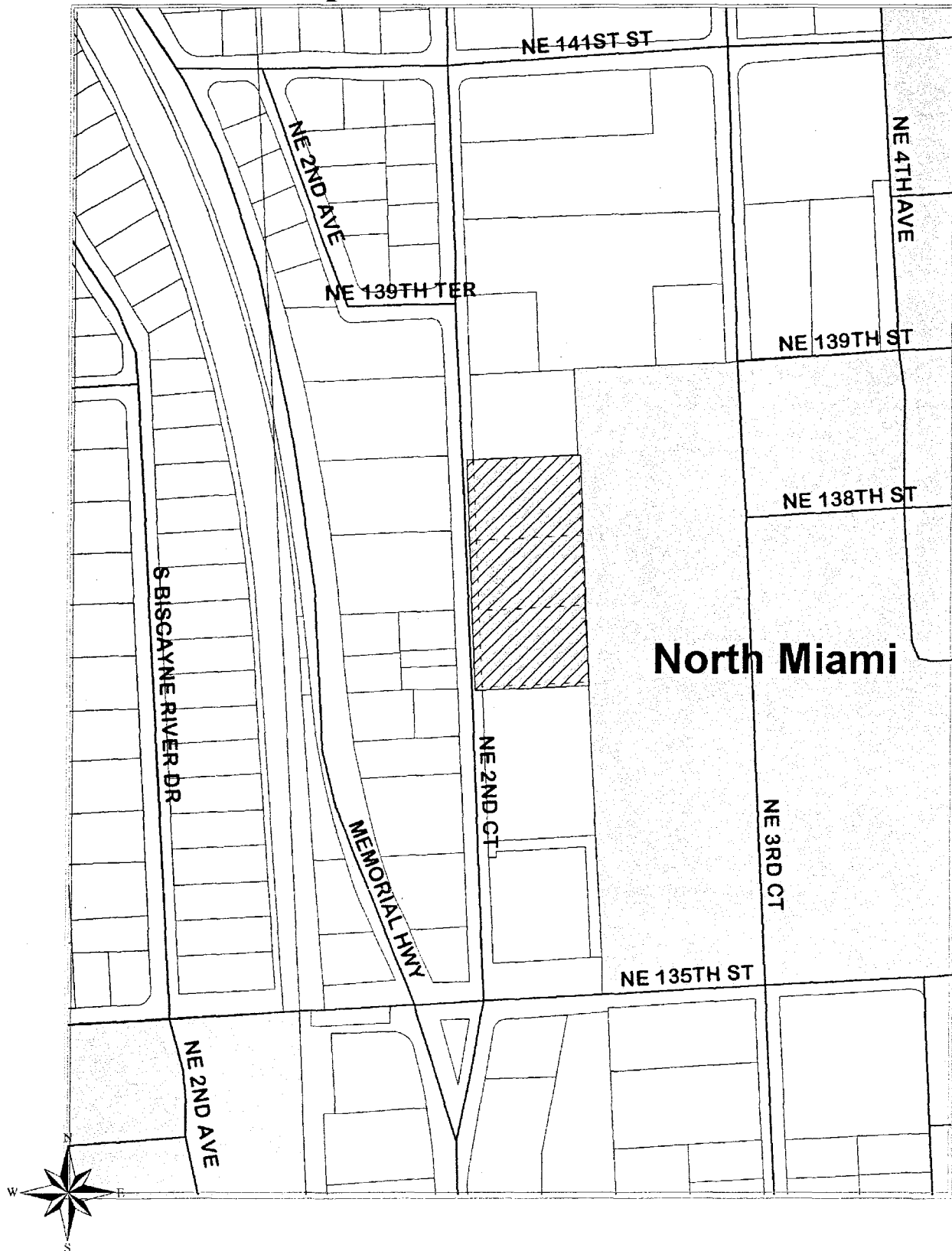
cc: Peter Velar, Office of Strategic Business Management  
Craig Collier, County Attorney's Office

# City of North Miami Proposed Annexation Area.





# City of North Miami Proposed Annexation Area.



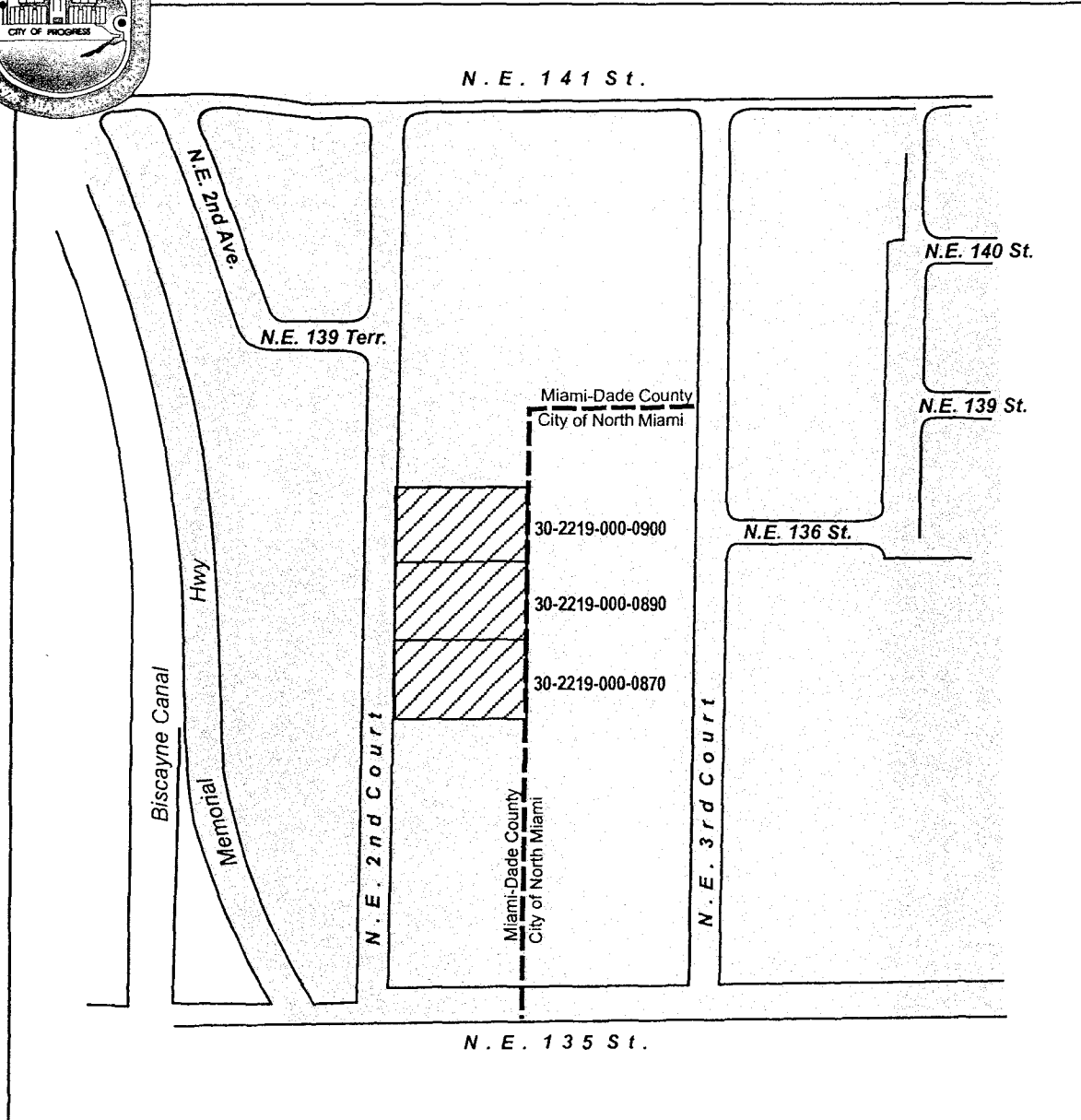
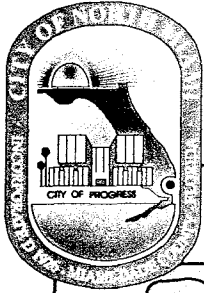
## LAND USE AND ZONING MAPS OF ANNEXATION AREA


34

~~19~~

# City of North Miami

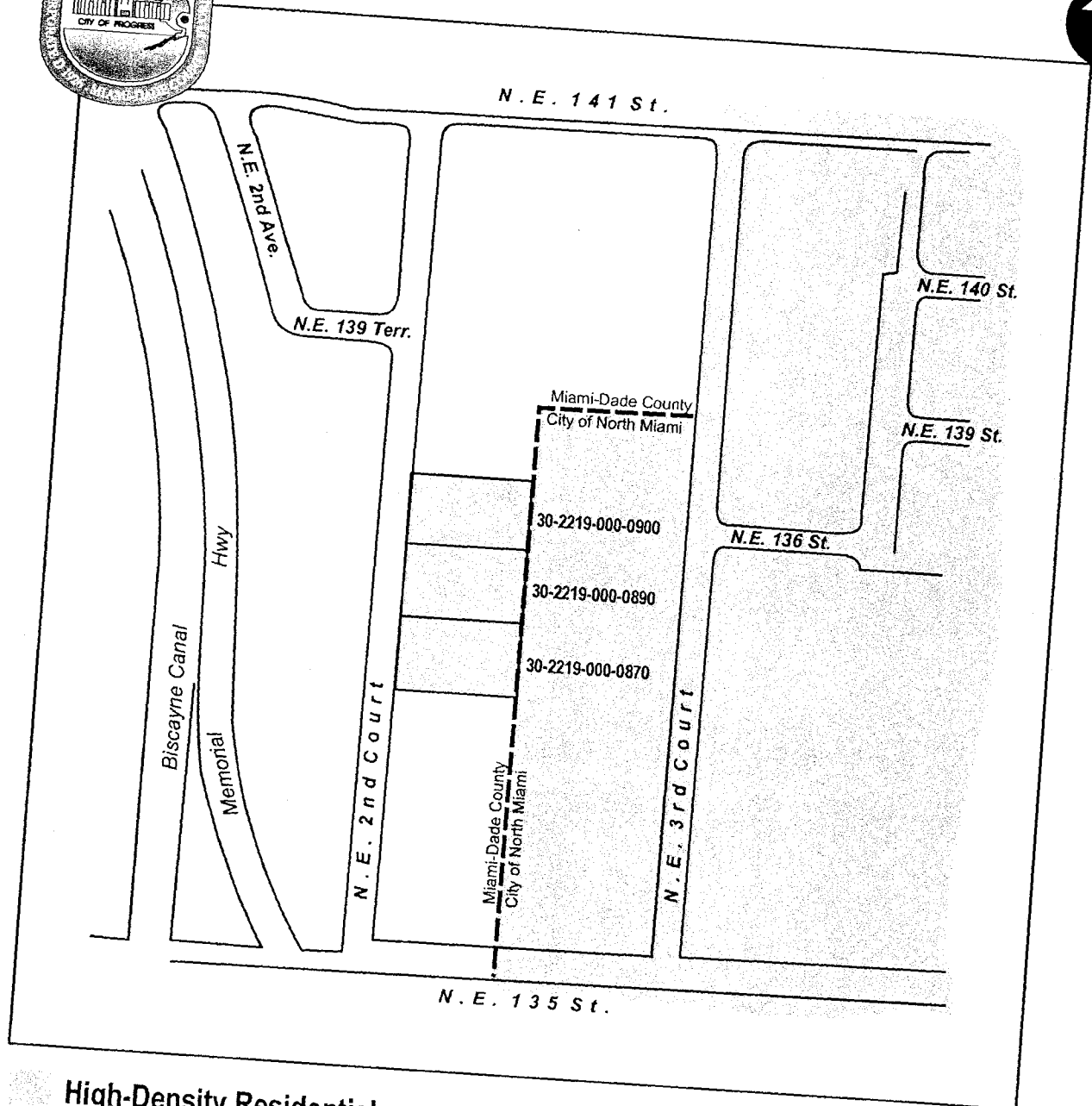
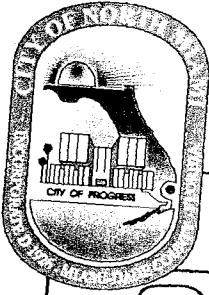
## Community Development Master Plan Annexation Area A



 Low-Medium Density 5-13 Dwelling Units per Gross Acre

# City of North Miami

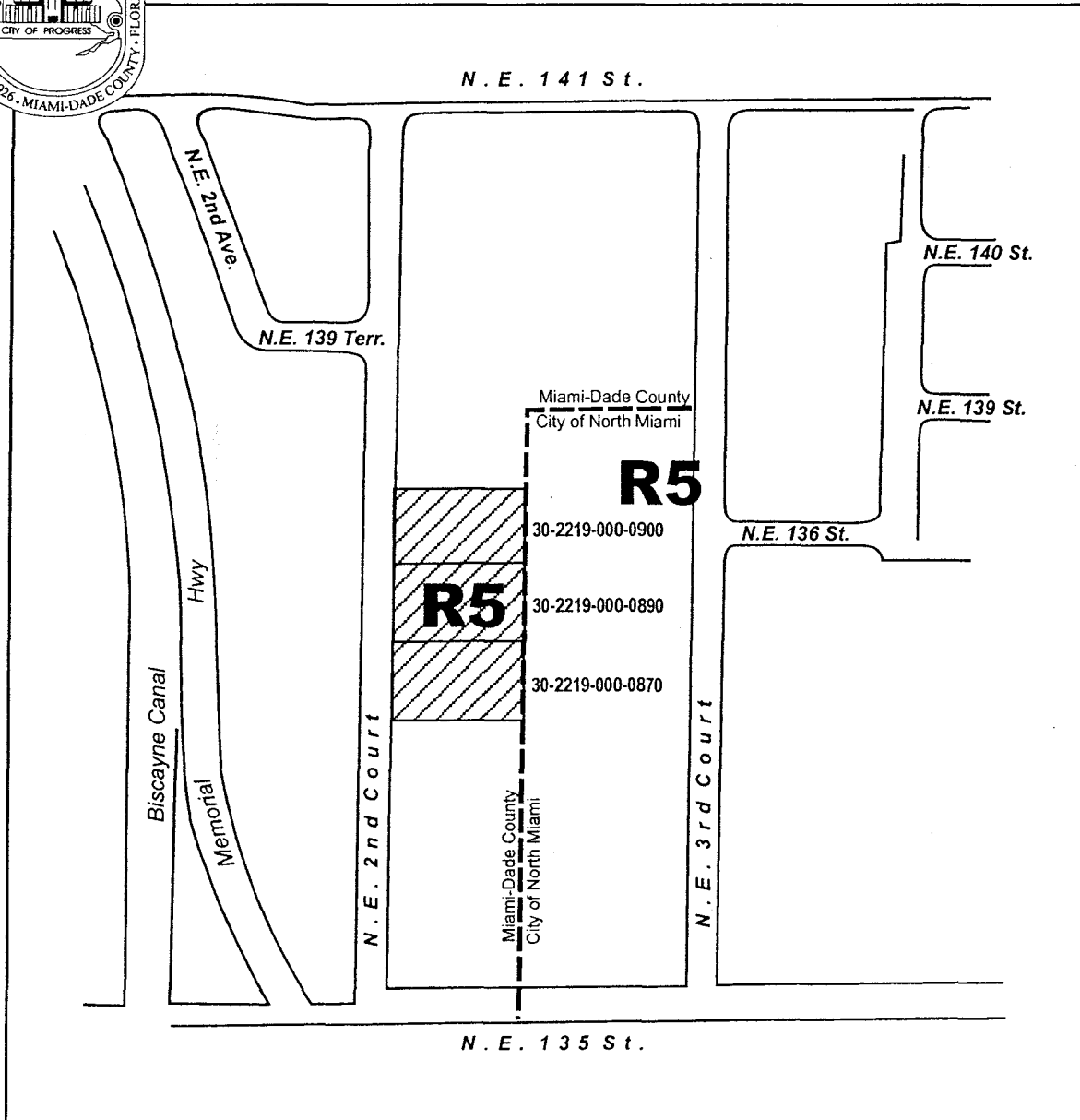
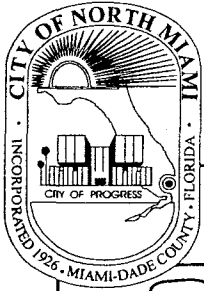
Future Land Use Map  
Annexation Area A



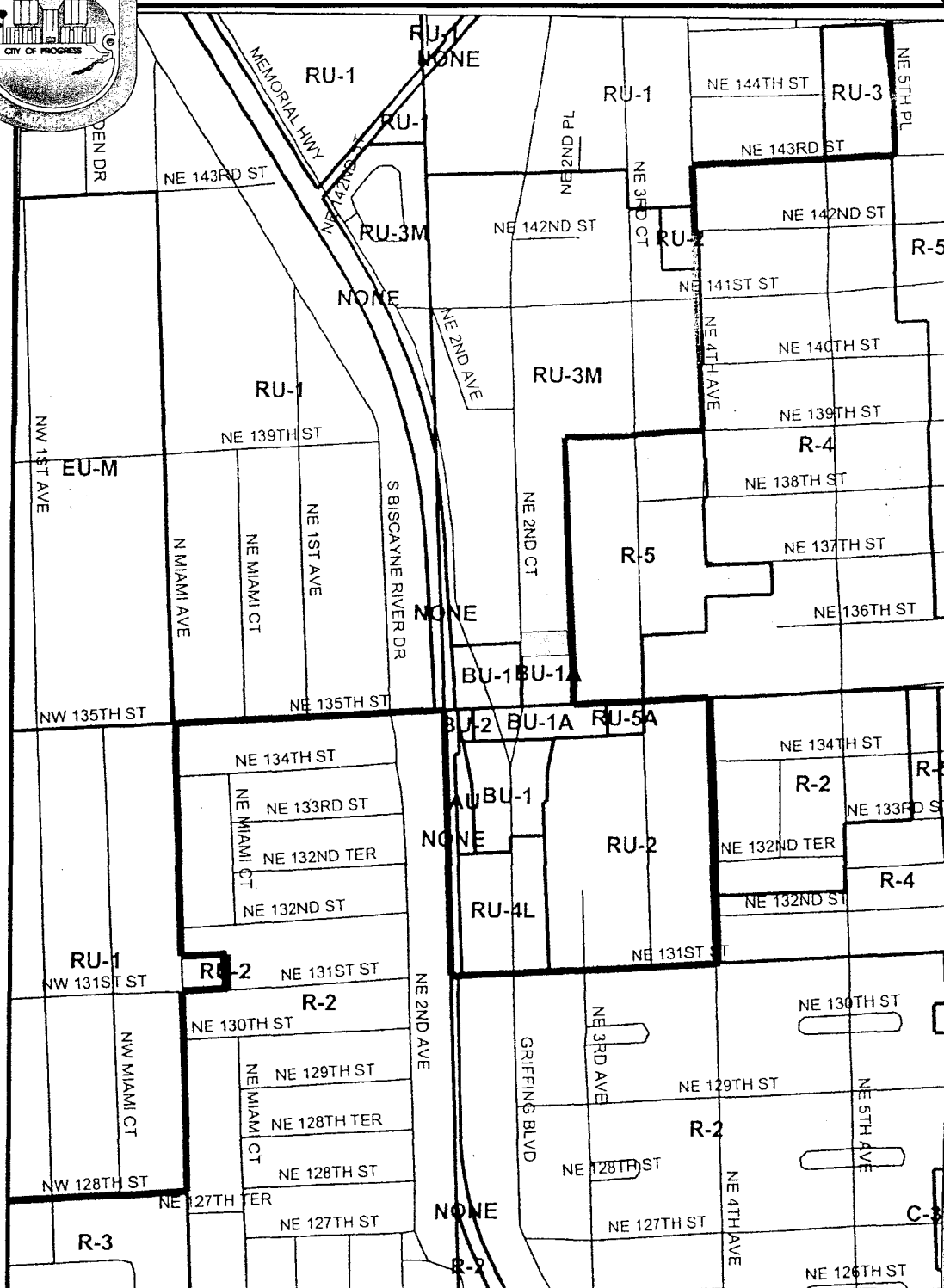
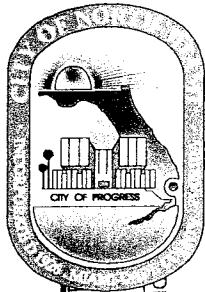
High-Density Residential

# City of North Miami

## Proposed Zoning Map Annexation Area A



## Proposed Annexation Area A



## INTERLOCAL AGREEMENT

**INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF NORTH MIAMI AND MIAMI-DADE COUNTY  
TO  
CLARIFY AND COORDINATE JURISDICTIONAL RESPONSIBILITIES  
FOR THE DEVELOPMENT OF CERTAIN PROPERTY LOCATED AT OR  
NEAR 13800 NE 3RD COURT THE BOUNDARIES OF WHICH EXTEND  
INTO AND STRADDLE BOTH THE CITY AND COUNTY JURISDICTION**

This Interlocal Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 2005 by and between the City of North Miami, a municipality within Miami-Dade County (the "City") and Miami-Dade County, a political subdivision of the State of Florida (the "County").

**WHEREAS**, ONM Development LLC, the fee simple owner ("Owner") of five (5) contiguous parcels of vacant land that are approximately 5.16 acres combined and located at or near 13800 NE 3<sup>rd</sup> Court, two (2) of which are within the City of North Miami and three (3) of which are 2.78 acres and within the unincorporated area of the County and more specifically described and identified as "Exhibit A" (the "Property"), has requested the annexation of the three (3) parcels of vacant land located in unincorporated Miami-Dade County; and

**WHEREAS**, the Mayor and City Council, at its March 22, 2005 meeting, expressed its support and approval to annex the three (3) unincorporated parcels; and

**WHEREAS**, the Owner seeks to develop the Property for a multi unit residential condominium (the "Project"); and

**WHEREAS**, the Property straddles the jurisdictional boundaries of the City and the County, such that approximately Forty Six Per Cent (46%) of the Property falls within the jurisdictional boundaries of the City, with the balance lying within the County; and

**WHEREAS**, the City, County, and the Owner wish to coordinate the efficient permitting and inspection of the construction.

**NOW, THEREFORE** the parties agree as follows:

1. The above recitals are true, correct, and made a part of this agreement.
2. The Owner shall be fully responsible, at its sole cost and expense, for the preparation and revision of all site plans, surveys, drawings, studies, building plans, and such other documents required by the regulatory authorities in connection with the development of the Project.
3. The Owner shall submit to the City, no longer than One Hundred and Eighty (180) calendar days after execution of this Agreement, any and all required surveys, site plans, drawings, studies, building plans, and such other documents, and any revision thereof, as are required by the City for performing a site plan review and issuing the necessary approvals and permits to construct the Project.



4. The City shall have the sole authority and discretion to review, require revisions, and approve all documents submitted by the Owner, and to issue all necessary approvals and permits to construct the Project. The City shall also have the discretion to perform all other regulatory reviews of the Project.
5. The City shall have the right to collect any and all administrative and permit fees in connection with the issuance of permits for construction of the Project.
6. The City shall have the sole authority and responsibility for conducting all inspections and issuing a certificate of completion or occupancy for the Project.
7. The City shall pursue from Miami-Dade County an annexation application of the Property into the City. The annexation shall be completed no later than one year following the issuance of a certificate of completion or occupancy. It is agreed that the City shall continue to exercise sole and exclusive jurisdiction over all phases of permitting, approvals, inspections, and certifications of the Project during the pendency of, and regardless of the annexation process.
8. This agreement is intended to coordinate the regulatory functions of the County and the City with respect to the Property, and shall not in any manner constitute an agreement or representation that the Property satisfies any regulatory requirement or that a discretionary permit shall be issued. To the extent permitted by law, the City and the County hereby delegate to each of the other the authority required to effectuate the provisions of this agreement.

To accomplish the purposes set forth above, the parties have executed this Interlocal Agreement through their duly authorized representatives.

*(The remainder of this page is intentionally left blank.)*

IN WITNESS WHEREOF, the parties hereto set their hands and official seals the day and year first above written.

MIAMI-DADE COUNTY, FLORIDA

BY: \_\_\_\_\_  
GEORGE M. BURGESS  
COUNTY MANAGER

CITY OF NORTH MIAMI

BY: Clarence Patterson  
CLARENCE PATTERSON  
CITY MANAGER

ATTEST: \_\_\_\_\_  
COUNTY CLERK

ATTEST: \_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
COUNTY ATTORNEY

APPROVED AS TO FORM:

Borg 2L 04/07/05  
INTERIM CITY ATTORNEY

ONM DEVELOPMENT LLC

BY:

Carlos Vargas  
CARLOS VARGAS  
PRESIDENT  
2730 SW 3<sup>rd</sup> Avenue  
Suite 601  
Miami, Florida 33129

**LEGAL DESCRIPTION OF PARCELS FOR ANNEXATION**

**Parcel 1: Folio No. 30-2219-000-0900**

That part of the South 1/2 of the North 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4 of Section 19, Township 52 South, Range 42 East, lying East of the Center line of NE 2nd Avenue (now known as NE 2nd Ct.) As shown on the map attached to the deed recorded in Deed Book 1952, Page 509, less the West 25.00 feet, lying and being in Miami-Dade County, Florida; AND

**Parcel 2: Folio No. 30-2219-000-0890**

That part of the N 1/2 of the S 1/2 of the NW 1/4 of the SW 1/4 of the SW 1/4 of Section 19, Township 52 South, Range 42 East, lying East of the Center line of NE 2nd Avenue, as shown on map attached to deed recorded in Deed Book 1952 at Page 509 of the Public Records of Dade County, Florida, subject to the Dedication of the West 25 feet for Street purposes; AND

**Parcel 3: Folio No. 30-2219-000-0870**

That part of the South 1/2, of the South 1/2, of the NW 1/4, of the SW 1/4, of the SW 1/4, of Section 19, Township 52 South, Range 42 East, lying East of the centerline of Northeast Second Avenue, as shown on Map attached to Deed recorded in Deed Book 1952, Page 509, of the Public Records of Miami-Dade County, Florida.

Exhibit A